



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: WWW.DPR.DELAWARE.GOV

PUBLIC MEETING MINUTES:	Board of Geologists
MEETING DATE AND TIME:	Friday, August 5, 2011 at 10:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B, Cannon Building
MINUTES APPROVED:	September 9, 2011

MEMBERS PRESENT

William Schenck, President, Professional Member
Kimberly McKenna, Vice-President, Professional Member
Scott Blaier, Secretary, Professional Member
David Reinhold, Professional Member
Lorene Athey, Public Member
Amos Aiken, Public Member
Patricia Ennis, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Danny Stevenson, Deputy Attorney General
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

None

PUBLIC PRESENT

None

CALL TO ORDER

Mr. Schenck called the meeting to order at 10:10 a.m.

Amendment of Agenda

Mr. Schenck made a motion, seconded by Ms. McKenna, to amend the agenda to add a letter from Apex Companies, LLC under New Business number 5.5. The motion was unanimously approved.

REVIEW OF MINUTES

The Board reviewed the meeting minutes from the June 3, 2011 meeting. Mr. Schenck made a motion, seconded by Mr. Aiken to approve the minutes. The motion was unanimously approved.

Hearing

Hearing minutes will follow regular Board minutes.

OLD BUSINESS

Final Draft Changes to 5.0 and 6.0 Rules and Regulations

Mr. Stevenson brought a final draft of changes of the rules and regulations for the Board to review to finalize. Mr. Schenck made a motion, seconded by Ms. McKenna, to approve the final draft of the changes. Mr.

Stevenson will have new rules and regulations posted in the registry. Ms. Wagner will then submit changes to the two newspapers and the Board will hold a hearing in October. The motion was unanimously approved.

Re-review of Continuing Education Application for Doug Miller

Mr. Blaier summarized the application for the Board. Mr. Blaier made a motion, seconded by Ms. McKenna, to approve the course CED Engineering/EPA Engineering Issue-Indoor Air Vapor Intrusion Mitigation Approaches for 5 CEU's after receiving more information on the context of what a PDH translates to in Delaware CEU's. The motion carried with Ms. Athey opposing.

Review Letter from Stephen DeMeo (Audit)

Mr. Schenck made a motion, seconded by Mr. Aiken, to approve the audit of Mr. DeMeo after Mr. DeMeo submitted the information the Board required. The motion was unanimously approved.

Re-review Letter from Lori Smith-Hall – Examination applicant

Mr. Schenck made a motion, seconded by Ms. McKenna, to grant licensure to Ms. Smith-Hall pending the successful passing of the ASBOG PG exam. The motion was unanimously approved.

NEW BUSINESS

Strategic Plan

No discussion on the strategic plan.

Review of Continuing Education Approval Applications

American Ground Water Trust

Mr. Blaier summarized the application for the Board. Mr. Blaier made a motion, seconded by Ms. McKenna, to approve the course, Geothermal Ground Source Heating & Cooling, for 5.5 CEU's. The motion was unanimously approved.

Interstate Technology & Regulatory Council

Mr. Blaier summarized the application for the Board. Mr. Blaier made a motion, seconded by Mr. Schenck, to approve the course submitted by David Iseri, Vapor Intrusion Pathway, A Practical Guideline, for 14.5 CEU's. The motion was unanimously approved.

Review of Application for Reciprocity

Ms. McKenna reviewed the application for Mr. Gregory Rosenzweig with the Board. Ms. McKenna made a motion, seconded by Mr. Schenck, to grant licensure to Mr. Reussuig by reciprocity. The motion was unanimously approved.

Review of Applications for Examination

Mr. Blaier reviewed the application for Mr. Thomas Cumello with the Board. Mr. Blaier made a motion, seconded by Mr. Schenck, to allow Mr. Thomas Cumello to sit for the exam and be licensed in Delaware after passing the ASBOG FG and PG exams. Discussion of why Mr. Cumello didn't apply by reciprocity. Mr. Blaier stated that he would like to see if Mr. Cumello would like to change the way he applied and to have two more reference forms from supervisors that he worked under in Pennsylvania be sent in for Board review. After discussion Mr. Blaier made a second motion, seconded by Ms. Athey, to allow Mr. Cumello to change his application to one through reciprocity using his current PA license. The motion was unanimously approved. Ms. Wagner will contact Mr. Cumello and find out what he would like to do and why he didn't apply by reciprocity.

Mr. Reinhold reviewed the FG application for Mr. Paul Hagerty with the Board. Mr. Reinhold made a motion, seconded by Ms. McKenna, to approve Mr. Hagerty to sit for the ASBOG FG exam. The motion carried with Mr. Schenck opposing.

Ms. McKenna reviewed the application of Gregory Rosenzweig with the Board. Ms. McKenna made a motion, seconded by Mr. Aiken, to grant Mr. Rosenzweig licensure in Delaware pending the successful

passing the ASBOG FG and PG exams. The motion was unanimously approved.

Ms. Athey reviewed the FG application for Phillip Cornwell with the Board. Ms. Athey made a motion, seconded by Mr. Schenck, to approve Mr. Cornwell to sit for the ASBOG FG exam. The motion was unanimously approved.

Review Letter from APEX

Mr. Schenck read a letter that was sent to the Board from Jonathan Rybacki, PG of Apex Companies, LLC. Mr. Rybacki was informing the Board that he is currently assuming responsibility under his license for Jeffrey C. Obrecht, PG, Peter R. Chronowski, PG, and Jason Bukeavich, geologist in training currently employed with APEX Companies, LLC. Ms. Wagner will file the letter in the appropriate file.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

There was no other business before the Board.

WALL CERTIFICATES

Mr. Schenck signed the wall certificate for Mr. Stephen Fisher.

PUBLIC COMMENT

None

NEXT SCHEDULED MEETING

The next meeting is scheduled for September 9, 2011, at 10:00 a.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Mr. Schenck made a motion, seconded by Ms. Athey, to adjourn the meeting at 11:55 a.m. The motion was unanimously approved.

Respectfully submitted,



Sandra Wagner
Administrative Specialist III
DE Board of Geologists

HEARING MINUTES

HEARING – Alex Posner

The Delaware Board of Geologists held a phone hearing on August 5, 2011, at 10:20 a.m. in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: William Schenck, Scott Blaier, David Reinhold, Lorene Athey, Amos Aiken, Patricia Ennis and Kimberly McKenna

RECUSED:

EXCUSED:

PURPOSE: Show Cause Hearing

PRESIDING: William Schenck, President

BOARD STAFF: Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Daniel Stevenson, Esq.

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Alex Posner

COUNSEL FOR THE RESPONDENT:

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT:

COURT REPORTER PRESENT: Lorena Hartnett, Wilcox and Fetzer

TIME STARTED: 10:20 a.m.

The court reporter took verbatim testimony. The Board introduced themselves. Mr. Stevenson described the reason for the hearing and confirmed Mr. Posner was present for the Hearing by telephone. Mr. Stevenson entered the documents as States' Exhibit 1. Mr. Posner entered a document as Respondent's 1. Mr. Posner explained to the Board why he felt he had his continuing education and therefore why he attested to having it completed in the renewal. The Board asked Mr. Posner to explain parts of audit in more detail. The Board went off the record for deliberations at 10:34 a.m. The Board went back on the record at 10:44 a.m. Mr. Blaier made a motion, seconded by Ms. McKenna, to grant approval of Mr. Posner's audit. The motion was carried with Mr. Schenck, Patricia Ennis and Mr. Aiken opposing.

The hearing concluded at 10:46 a.m.



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